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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,952	01/28/2002	Tatsuya Zettsu	218436US2SRD	2719

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EXAMINER

ZHOU, TING

ART UNIT PAPER NUMBER

2173

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.		Applicant(s)	
	10/055,952		ZETTSU ET AL.	
	Examiner		Art Unit	
	Ting Zhou		2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The Request for Continued Examination (RCE) filed on 6 September 2005 under 37 CFR 1.53(d) based on parent Application No. 10/055,952 is acceptable and a RCE has been established. An action on the RCE follows.
2. The amendments filed on 6 September 2005, submitted with the filing of the RCE have been received and entered. Claims 1-20 as amended are pending in the application.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 1, 3-6, 8-13, 15-17 and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Trower, II et al. U.S. Patent 6,121,981 (hereinafter "Trower").

Referring to claims 1 and 13, Trower teaches a moving picture playback method and program comprising forming a first window based on a predetermined software on a display screen (loading an animation file and determining the frame to play back on the desktop/ shell of the operating system, or the frame's hosting region window; in other words, the current frame is constructed from one or more bitmaps on the display screen) (column 2, lines 39-45, column 5, lines 9-19 and column 6, lines 40-48 and 58-65), forming a second window, which displays the moving picture, as a child window of the first window and within a range of a display region of the first window (computing and displaying a bounding region for the current frame on the displayed interface, i.e. the bounding region is displayed on or within the desktop, with the bounding region displaying the animation) (column 5, lines 9-17 and column 6, lines 7-48), forming a third window as a child window of the second window and within a range of a display region of the second window (drawing the animation according to the bounding region on the bounding region, i.e. on the second window) (column 5, line 30 and column 11, lines 28-31), setting a shape of a frame of the moving picture on the second window (the bounding region sets the shape of the current frame) (column 3, lines 1-10 and column 5, lines 26-29), and drawing color of the frame of the moving picture on the third window (filling in the visible content of the current frame of the animation, which is drawn inside the bounding region window) (column 5, line 30). This is further recited in column 2, lines 38-53 and column 3, lines 1-15, and shown in Figures 2 and 4.

Referring to claims 5 and 16, Trower teaches a moving picture playback apparatus and program comprising an input device configured to input shape information and color information of a frame of a moving picture (loading a sequence of animation, and its corresponding information, into memory in order to play the sequence) (column 2, lines 38-43 and column 8, lines 36-65), a window system configured to generate a first window based on software, a second window corresponding to a child window of the first window and superimposed on the first window within a range of a display region of the first window, and a third window corresponding to a child window of the second window and superimposed on the second window within a range of a display region of the second window (loading an animation file and determining the frame to play back on the desktop/ shell of the operating system, or the frame's hosting region window; computing and displaying a bounding region window for the current frame on the hosting region window, i.e. the displayed interface; and drawing the visible content of the current frame of the animation on the bounding region window) (column 5, lines 14-30, column 6, lines 40-48 and 58-65 and column 11, lines 28-31); a shape setting device configured to set the shape of a frame of the moving picture on the second window (the bounding region sets the shape of the current frame) (column 3, lines 1-10 and column 5, lines 26-29); a drawing device configured to draw color of the frame on the third window (filling in the visible content of the current frame of the animation that's drawn) (column 3, lines 9-11 and column 5, line 30); and a controller which controls the shape setting device and the drawing device according to a message from the window system to set the shape of the frame on the second window and draw the color of the frame on the third window (the loader, sequencer, regionizer and region window controller working together to playback an animation in response to animation services requests

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received from clients) (column 6, lines 7-31 and Figure 3). This is further recited in column 2, lines 38-53 and column 3, lines 1-15, and shown in Figures 2 and 4.

Referring to claims 3, 8, 15 and 19, Trower teaches forming the first window again after setting of the shape of the frame (re-drawing the portion of the desktop host window that is modified by the animation) (column 6, lines 40-48 and column 11, lines 13-26).

Referring to claim 4, Trower teaches the first window includes characters and/or a still picture (the hosting region window, or the desktop shell, displays characters and still pictures, such as icons) (Figure 2).

Referring to claims 6 and 17, Trower teaches the controller instructing the shape setting device to set the shape of the frame and then instructs the drawing device to draw the color of the frame according to the message from the window system (in response to client requests of animation services, the loader, sequencer, regionizer and region window controller work together to playback, or draw an animation) (column 6, lines 7-48, column 11, lines 8-20 and Figure 3).

Referring to claims 9 and 20, Trower teaches the controller calculates, as a coordinate of an upper left corner of the third window, a reference coordinate relative to a coordinate of an upper left corner of the second window, and uses this reference to set the shape of the frame on the second window (when the animation system draws the current frame, the shape of the animation is clipped to the bounding region window, which has coordinates relative to the upper left corner of the window) (column 2, lines 44-53, column 7, lines 30-31 and column 10, lines 20-41).

Referring to claim 10, Trower teaches a moving picture decoder configured to decode encoded moving picture data including the shape information and the color information and

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configured to input the shape information and the color information to the shape setting device and the drawing device respectively, wherein the input device generates the encoded moving picture data (the animation frame's bitmaps read from the input device are compressed, or encoded and the loader is responsible for decompressing, or decoding the bitmaps into its native format) (column 6, lines 32-39 and column 9, lines 12-50).

Referring to claim 11, Trower teaches the shape setting device sends an instruction to the window system and sets the shape of the frame based on the shape information on the second window designated by the controller according to the message from the window system (upon receiving animation services requests from clients, the system sets the shape of the animation, i.e. via clipping the visual content of the frame, to correspond to the bounding region) (column 2, lines 38-53, column 3, lines 1-15 and column 6, lines 7-14).

Referring to claim 12, Trower teaches wherein predetermined software generates the first window and plug-in software of the predetermined software having the first window instructs generating of the third window to the window system (using software to paint the windows) (column 5, lines 60-67, column 6, lines 11-14 and column 18, lines 50-67).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 2, 7, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower, II et al. U.S. Patent 6,121,981 (hereinafter "Trower"), as applied to claims 1, 5, 13 and 16 above, and Foreman et al. U.S. Patent 6,628,303 (hereinafter "Foreman").

Referring to claims 2 and 14, Trower teaches all of the limitations as applied to claims 1 and 13 above. Specifically, Trower teaches setting the shape of the frame of the animation (the bounding region sets the shape of the current frame) (Trower: column 3, lines 1-10 and column 5, lines 26-29). However, Trower fails to explicitly teach setting the shape of the frame again after a pause in the playback. Foreman teaches an interface that displays windows for playing back moving pictures (video display window for displaying frames of a video program) (Foreman: column 2, lines 35-61) similar to that of Trower. In addition, Foreman further teaches pausing the playback of the video program (Foreman: column 11, lines 32-46). It would have been obvious to one of ordinary skill in the art, having the teachings of Trower and Foreman before him at the time the invention was made, to modify the method for setting the shape of the moving picture system of Trower to include pausing the playback taught by Foreman, in order to obtain a method that sets the shaped of a frame again after a pause in the playback. One would have been motivated to make such a combination in order to allow users to have tools to more easily manipulate and edit motion pictures to assist in the creative design, planning and production of motion video programs.

Referring to claims 7 and 18, Trower teaches all of the limitations as applied to claims 5 and 16 above. Specifically, Trower teaches instructing the shape setting device to set the shape of the frame and then instructing the drawing device to draw the color of the frame without waiting the message from the window system (once the bitmaps of the current frame has been



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loaded, the bounding region is computed and the animation, including its shape and picture, or color, drawn to the bounding region) (Trower: column 2, lines 38-53 and column 3, lines 1-15). However, Trower fails to explicitly teach pausing the playback. Foreman et al. teach an interface that displays windows for playing back moving pictures (video display window for displaying frames of a video program) (Foreman: column 2, lines 35-61) similar to that of Trower. In addition, Foreman further teaches pausing the playback of the video program (Foreman: column 11, lines 32-46). It would have been obvious to one of ordinary skill in the art, having the teachings of Trower and Foreman before him at the time the invention was made, to modify the method for setting the shape of the moving picture system of Trower to include pausing the playback taught by Foreman, in order to obtain a method that instructs the shape setting device to set the shape of the frame and then instructs the drawing device to draw the color of the frame without waiting for the message from the window system when pausing the playback. One would have been motivated to make such a combination in order to allow users to have tools to more easily manipulate and edit motion pictures to assist in the creative design, planning and production of motion video programs.

### *Response to Arguments*

5. Applicant's arguments filed 6 September 2005 have been fully considered but they are not persuasive:
6. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out

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how the language of the claims patentably distinguishes them from the references. The examiner respectfully asserts that the applicant's arguments merely alleges that Trower fails to teach the added limitation of the second window formed within a range of a display region of the first window or the third window formed within a range of a display region of the second window, without evidence or arguments supporting the allegations.

7. The examiner respectfully asserts that Trower teaches three windows, the first window being the desktop shell/window of operating system's interface, the second window being the displayed bounding region, and the third window being the drawn animation, as recited in column 2, lines 39-45, column 5, lines 9-30, column 6, lines 40-65 and column 11, lines 2-31; this can further be seen from Figures 2 and 4. Trower teaches that the bounding region window, i.e. the second window is displayed on the interface, i.e. on the desktop window and therefore, the second window is displayed within the first window; furthermore, Trower teaches that the animation window is drawn according to, or on the bounding region window and therefore, the animation window is displayed within the bounding region window, i.e. the third window is displayed within a region of the second window. Therefore, the examiner respectfully asserts that Trower teaches the added limitation of the second window formed within a range of a display region of the first window and the third window formed within a range of a display region of the second window.

### *Conclusion*

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



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PRIMARY EXAMINER